

PCIA

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Personal

May 12, 1998

via Federal Express

Mr. Ward Y. Jackson, SSA
Program Manager, Wireline Telephony
TILU
Westfields Conference Center
14800 Conference Center Drive
Suite 300
Chantilly, VA 20151

Re: PCIA Technical Standards For Traditional Paging

Dear Agent Jackson:

As I promised at our meeting last Friday, attached please find a newly minted copy of *Standard 1 -- CALEA Specification For Traditional Paging* developed by the PCIA Paging Technical Committee (PTC). The standard is final and consistent with our industry's understanding that a standardized approach to providing cloned pagers is the most practical and efficient way to provide the necessary intercept capabilities to law enforcement officers for one way paging systems. I understand that you will be sharing a copy of these materials with Levord Burns.

As I explained Friday, the traditional paging standard is the first of three standards to be developed by the PTC to satisfy the industry's obligations under Section 107 of CALEA. When completed, PCIA's *CALEA Suite of Standards* will also include standards for advanced paging and ancillary services. For your information I have also included a copy of the *CALEA Suite of Standards* document in its current form. When all three phases of the PTC's work have been completed the *Suite* will become a single document that incorporates all three standards.

I hope you will be pleased with the PTC's efforts on the traditional paging specifications. They were prepared with the comments and input of law enforcement foremost in our minds and we are delighted that a solution is now available that covers more than 95% of the existing subscriber base.

As we discussed Friday, I look forward to establishing an effective liaison relationship that will give paging industry technical representatives the information they need to produce standards for advanced and ancillary paging services and provide law enforcement with the assurance that their needs are being addressed. Consistent with our discussions I am working

Letter to Ward Y. Jackson, SSA
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with PTC representatives to identify the most useful way to share information and assure all parties that capacity and capability information is available and utilized in the development of phases two and three of the PTC's work. I particularly appreciated your offer to include our input in the NOI on capacity that you are planning to release and look forward to that dialogue.

Thank you again for meeting with us last week. I agree that we still have a lot of work to do regarding the advanced messaging and ancillary parts of the industry and look forward to a productive relationship as we reach solutions that satisfy the letter and spirit of CALEA.

Sincerely,



Robert L. Hoggarth
Senior Vice President, Paging and Messaging

Attachments:
CALEA Suite of Standards
CALEA Specification for Traditional Paging

a:\stndrd11.e98

Exhibit E



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CALEA Suite of Standards

for

**Traditional Paging
Advanced Messaging, and
Ancillary Services**

Version 1.0

PCIA Technical Committee

CALEA Subcommittee

04 May, 1998

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Foreword

In this suite of documents, the Personal Communications Industry Association (PCIA) Technical Committee defines the specifications for interface compatibility requirements between paging service providers (PSPs) and law enforcement agencies (LEAs).

The Communications Assistance for Law Enforcement Act (CALEA)¹ was enacted on October 25, 1994. CALEA requires telecommunications carriers to ensure that their equipment, facilities, or services have the capability to:

- (1) "expeditiously ... isolate and enable the government to intercept all communications in the carrier's control to or from the equipment facilities or services of a subscribe[r], concurrently with the communications' transmission, or at any later time acceptable to the government;"
- (2) "expeditiously ... isolate and enable the government to access reasonably available call identifying information about the origin and destination of communications;"
- (3) "make intercepted communications and call identifying information available to government in a format available to the carrier so they may be transmitted over lines or facilities leased or procured by law enforcement to a location away from the carrier's premises;" and
- (4) "meet these requirements with a minimum of interference with the subscriber's services and in such a way that protects the privacy of communications and call identifying information that are not targeted buy [sic] electronic surveillance orders, and that maintains the confidentiality of the government's wiretaps."²

Under CALEA, industry associations and standards-setting bodies are authorized to adopt standards for satisfying these assistance capability requirements. Telecommunications carriers, manufacturers, and/or support service providers that comply with these standards have "safe harbor" and are deemed in compliance with CALEA's capability requirements:

"a telecommunications carrier shall be found to be in compliance with the assistance capability requirements under section 103, and a manufacturer of telecommunications transmission or switching equipment or a provider of telecommunications support services shall be found in compliance with section 106, if the carrier, manufacturer, or support service provider is in compliance with publicly available technical requirements or standards adopted by an industry association or standard-setting organization. ..."³

¹ Communications Assistance for Law Enforcement Act, Pub. L. No 103-414 (CALEA).

² Telecommunications Carrier Assistance to the Government, H. Rep. No. 103-827, at 22 (October 4, 1994).

³ CALEA, § 107.

In November 1997, an Interim Standard (J-STD-025) for wireline and wireless telephony⁴ was adopted by the Telecommunications Industry Association Subcommittee TR45.2 and Committee T1 of the Alliance for Telecommunications Industry Solutions. Shortly thereafter, in December 1997, a working group was established under the auspices of PCIA to determine whether J-STD-025 was readily applicable to paging technology and, if not, to develop a separate standard for the paging industry. After carefully reviewing J-STD-025, the working group determined that J-STD-025's telephony specifications were not readily applicable to paging technology and that a separate standard was necessary.

In order to expedite the standards-setting process, the Paging Technical Committee decided to develop a Suite of Standards and release this Suite of Standards in three parts: 1) Traditional Paging, 2) Advanced Messaging, and 3) Ancillary Services. The Traditional Paging Standard defines compliance for one-way paging services with fixed geographic coverage areas. The Advanced Messaging Standard defines compliance for subscriber defined on-demand roaming, forwarding and redirection, two-way and acknowledged voice paging, and real-time wireless packet data services. The Ancillary Services Standard defines compliance for caller/subscriber bridging, outdial, and other real-time bridged audio services. Any PSP, manufacturer, or service provider that complies with these Standards will have "safe harbor" under section 107 of CALEA and will be found in compliance with CALEA's assistance capability requirements.

⁴ Lawfully Authorized Electronic Surveillance, TIA/ATIS, Interim/Trial Use Standard (J-STD-025)

Document Change Record

v1.0 04 May, 1998 First release of document.

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Table of Standards

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Introduction

In this suite of documents, the PCIATechnical Committee defines the specifications for interface compatibility requirements between PSPs and LEAs.

In November 1997, an Interim Standard (J-STD-025) for wireline and wireless telephony was adopted by the Telecommunications Industry Association Subcommittee TR45.2 and Committee T1 of the Alliance for Telecommunications Industry Solutions. Shortly thereafter, in December 1997, a working group was established under the auspices of PCIA to determine whether J-STD-025 was readily applicable to paging technology and, if not, to develop a separate standard for the paging industry. After carefully reviewing J-STD-025, the working group determined that J-STD-025's telephony specifications were not readily applicable to paging technology and that a separate standard was necessary.

In order to expedite the standards-setting process, the Paging Technical Committee decided to develop a Suite of Standards and release this Suite of Standards in three parts: 1) Traditional Paging, 2) Advanced Messaging, and 3) Ancillary Services. Any PSP, manufacturer, or service provider that complies with these Standards will have "safe harbor" under section 107 of CALEA and will be found in compliance with CALEA's assistance capability requirements.

In some instances, the paging services to which certain intercept subjects subscribe may permit a PSP to access and deliver communications and reasonably available call-identifying information without the PSP having to modify its networks or systems. In these instances, the PSP may be fully compliant with the assistance capability requirements set forth in CALEA. For example, an LEA could effect a central office- or local loop-based interception using conventional methods of access and delivery without the involvement of the PSP. Another example is the PSP could assist the LEA in setting up a clone or duplicate of the subject's receiving device so that the LEA could monitor the subject's call content through the radio channel transmissions.

Purpose

In this suite of documents, the PCIATechnical Committee defines the specifications for interface compatibility requirements between PSPs and LEAs.

Any PSP, manufacturer, or service provider that complies with this Suite of Standards will have "safe harbor" under section 107 of CALEA and will be found in compliance with CALEA's assistance capability requirements.

Scope

The scope of this Suite of Standards is to define the services to support LAES and the interface between a PSP and an LEA.

How This Suite of Standards Document is Organized

This Suite of Standards is organized around the three separate areas of Paging-related communications: 1) Traditional Paging, 2) Advanced Messaging, and 3) Ancillary Services. The sections addressing each of these are:

Foreword provides an overview of this Suite of Standards.

Document Change Record provides revision control for this Suite of Standards.

Introduction defines the purpose, scope, and organization of this Suite of Standards.

References defines a list of the references used in the preparation of this Suite of Standards.

Glossary defines the words, acronyms, and initialisms that are used in this Suite of Standards.

Standard 1 CALEA Specification for Traditional Paging defines the Traditional Paging LAES services, network entities, and information flows to implement Traditional Paging LAES services.

Standard 2 CALEA Specification for Advanced Messaging defines the Advanced Paging and Packet Data LAES services, network entities, and information flows to implement Advanced Messaging LAES services.

Standard 3 CALEA Specification for Ancillary Services defines the Ancillary Services LAES services, network entities, and information flows to implement Ancillary Services LAES services.

References

Communications Assistance for Law Enforcement Act, Pub. L. No. 103-414

Telecommunications Carrier Assistance to the Government, H. Rep. No. 103-827

Lawfully Authorized Electronic Surveillance, TIA/ATIS, Interim/Trial Use Standard (J-STD-025)

Glossary

Note: Definitions may vary in each of the referenced PCIA CALEA Standards documents.

Advanced Messaging

to be defined as part of the Advanced Messaging standards generation process.

Ancillary Services

to be defined as part of the Ancillary Services standards generation process.

CALEA

Communications Assistance for Law Enforcement Act.

call content

see *content*.

call-identifying information

is defined in CALEA Section 102 (2) to be "dialing or signaling information that identifies the origin, direction, destination, or termination of each communication generated or received by a subscriber by means of any equipment, facility, or service of a [PSP]."

clone radio receiving device

a radio receiving device, provided by the LEA, that is pre-programmed by the PSP as authorized by a lawful authorization with the intercept subject's radio receiving address and set to monitor the subject's radio receiving frequency with the express purpose of decoding and capturing the subject's call content when used within the subject's fixed geographical broadcast area. A clone radio receiving device has the same characteristics and call content reception and processing features as the intercept subject's radio receiving device.

Commission

defined in CALEA Section 102 (3) to be "the Federal Communications Commission".

communication

in this Standard, communication refers to any wire or electronic communication, as defined in 18 USC 2510

content

is defined in 18 USC 2510 (8) to be "when used with respect to any wire or electronic communications, includes any information concerning the substance, purport, or meaning of that communication."

electronic surveillance

the statutory-based legal authorization, process, and associated technical capabilities and activities of LEAs related to the interception of wire, oral, or electronic communications while in transmission.

government

defined in CALEA Section 102 (5) to be "the government of the United States and any agency or instrumentality thereof, the District of Columbia, any commonwealth, territory, or possession of the United States, and any State or political subdivision thereof authorized by law to conduct electronic surveillance."

intercept

defined in 18 USC 2510 (4) to be "the aural or other acquisition of the content of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device."

LAES

Lawfully Authorized Electronic Surveillance

Law Enforcement Agency

a government entity with the legal authority to conduct electronic surveillance.

Lawful Authorization

no intercepts shall take place without specific lawful authorization. One Lawful Authorization may encompass multiple devices and/or multiple geographic locations.

LEA

see *Law Enforcement Agency*.

paging service provider⁵

defined from CALEA Section 102 (8) to be, "a person or entity engaged in the transmission or switching of wire or electronic communications as a common carrier for hire, and includes 1) a person or entity engaged in providing commercial mobile service, or 2) a person or entity engaged in providing wire or electronic communications switching or transmission service to the extent that the Commission finds such service is a replacement for a substantial portion of local telephone exchange service and that it is in the public interest to deem such a person or entity to be a [PSP] for purposes of this title. This does not include 1) persons or entities insofar as they are engaged in providing information services, and 2) any class or category of [PSPs] that the Commission exempts by rule after consultation with the U. S. Attorney General."

PSP

see *Paging service provider*.

Traditional Paging

traditional paging supports the one-way wireless transmission of tone-only, numeric, alphanumeric, and voice messages from a PSP to one or more radio receiving devices within a stipulated, predefined geographic radio coverage area of the PSP's infrastructure.

transmission

the act of transferring communications from one location or another by wire, radio, electromagnetic, photoelectronic, or photo-optical system.

USC

United States Code.

wire communications

defined in 18, USC 2510 (1) to be "any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce and such term includes any electronic storage of such communication."

⁵ This Suite of Standards uses the term *paging service provider* instead of the CALEA term *telecommunication carrier*.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 2554**

In the Matter of

Communications Assistance for
Law Enforcement Act

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)
)
)
)

CC Docket No. 97-213

PETITION FOR EXTENSION OF THE COMPLIANCE DATE

Pursuant to Section 107(c) of the Communications Assistance for Law Enforcement Act ("CALEA"),¹ ARDIS Company ("ARDIS"), in cooperation and conjunction with its principal vendor, Motorola Inc., (jointly referred to as "Petitioners") hereby respectfully petition the Commission for a two year extension of CALEA's October 25, 1998 deadline for compliance with Section 103. For the reasons discussed in the preceding Joint Petition for Extension of Time ("Joint Petition"), compliance with CALEA's assistance capability requirements is not reasonably achievable through the application of existing technology, and will not be reasonably achievable for at least two years.

ARDIS is a messaging carrier that serves fifty-five thousand (55,000) subscribers in fifty (50) different states, Puerto Rico and the U.S. Virgin Islands, and offers two way data radio messaging services. ARDIS' equipment principally is manufactured by Motorola Inc. and Tandem Computers Incorporated.

ARDIS is committed to continue to provide capability and capacity required by CALEA but can not do so until law enforcement requirements have been identified and appropriate industry standards have been established. The Federal Bureau of Investigation, because of understandable resource constraints, has focused its energies on other industries (such as local

¹ Pub. L. 103-414, 108 Stat. 4279 (1994). *codified at* 47 U.S.C. §§ 1001 *et seq.*

exchange, cellular and personal communications services industries) and has not been able to identify its simultaneous capacity and other requirements for the two way messaging industry.

Despite the unavailability of such requirements, Petitioners will continue to make every effort to provide law enforcement officials with the ability to engage in court ordered electronic surveillance such as through the use of cloned pagers or messaging terminals. Petitioners further commit to continue to work with law enforcement, through PCIA, to develop an industry standard for the messaging services industry. For the reasons discussed in the Joint Petition, however, compliance for ARDIS' more advanced two way messaging or paging services² will not be reasonably achievable by October 25, 1998.

Accordingly, Petitioners request that the compliance deadline be extended for at least two years until law enforcement's capacity and capability requirements can be identified and an appropriate industry standard for such services can be promulgated.³

Respectfully Submitted,

ARDIS COMPANY

By 

Vice President and Executive Counsel

Date 5/20/98

² Traditional, one-way paging supports the one-way, wireless transmission of tone, numeric, alphanumeric and voice messages to a radio receiving device (i.e., pager) within a stipulated, predefined geographic radio coverage area. It does not include such advanced messaging features as roaming, forwarding, or two-way messaging or paging.

³ Because law enforcement's requirements are unlikely to be established (and an appropriate industry standard promulgated) by October 25, 1998, further extension beyond the current request may be necessary.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Communications Assistance for)	CC Docket No. 97-213
Law Enforcement Act)	
)	

PETITION FOR EXTENSION OF COMPLIANCE DATE

Pursuant to Section 107(c) of the Communications Assistance for Law Enforcement Act ("CALEA"), CONXUS Network, Inc. ("Carrier"), in cooperation and conjunction with Motorola, Inc., hereby respectfully requests the commission to grant an extension of time for Carrier's compliance with the assistance capability requirements of Section 103 of CALEA. For the reasons discussed in the preceding Joint Extension of Time ("Joint Petition"), Carrier's compliance with CALEA's assistance capability requirements is not reasonably achievable through the application of existing technology, and will not be reasonably achievable for at least two years.

Carrier serves over 26,000 subscribers in Florida, Washington, D.C., Texas, Illinois, and California, providing voice messaging. Carrier expects to offer two-way data service in the near future, in the same markets. The Carrier's network uses equipment manufactured by Motorola, Inc. and Glenayre Electronics, Inc.

The Carrier cannot comply with the assistance capability requirements mandated by CALEA Section 103 by the deadline of October 25, 1998. With respect to the messaging services provided by Carrier, the Attorney General has not yet published in the Federal Register the estimated number of interceptions expected to be conducted, nor the maximum capacity required to accommodate all the estimated interceptions. While the circumstances surrounding the Attorney General's failure to publish the capacity information required by CALEA Section 104(a) for paging and messaging carriers may be reasonable and unavoidable, neither Carrier nor the suppliers of Carrier's infrastructure equipment can be expected to design, test and deploy

equipment by October 25, 1998 with no guidance whatsoever as to law enforcement's requirements.

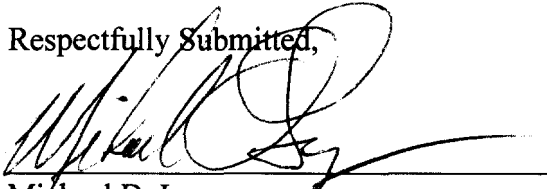
Carrier believes that the statutory requirements justifying the requested extension are clearly satisfied. There is no dispute that, with respect to the services provided by Carrier, "...compliance with the [not yet published] assistance capability requirements ... *is not reasonably achievable through application of technology available within the compliance period.*" No equipment presently available to Carrier at any price can satisfy the requirements of Section 103.

Granting the requested delay in the compliance date will not compromise public safety. Carrier believes that adequate solutions to meet law enforcement's interception needs exist now and will continue to be available until publication of the capacity and capability requirements allows Carrier and its suppliers to identify, design, develop test and install a commercially reasonable solution to law enforcement's future needs.

Accordingly, Carrier requests that the deadline for compliance with the assistance capability requirements of CALEA Section 103 be extended for two years after the Attorney General's notice of capacity requirements are published in the Federal Register.

June 1, 1998

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael D. Layman", is written over a horizontal line.

Michael D. Layman
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